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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,079	03/30/2001	Errol C. Heiman	STL9524	6981

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Intellectual Property Department
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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT PAPER NUMBER

2171

DATE MAILED: 03/25/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/823,079

Applicant(s)
Heiman et al

Examiner
Etienne P LeRoux

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Jan 17, 2003
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other:

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Finality Vacated

The finality of the previous office action is hereby vacated.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by USPAT 6,222,172 issued to Fossum et al (hereafter Pat '172).

Regarding claim 1, Pat '172 discloses:

applying a nominal voltage¹ to an electronic component [col 3, lines 34-38]

¹ IEEE Standard Dictionary of Electrical and Electronics Terms defines nominal system voltage as "[t]he system voltage by which the system is designated and to which certain operating

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introducing a voltage disruption to the nominal voltage [col 3, lines 39-41]

repeating the voltage disruption for a specified number of instances [col 3, lines 48-61]

Regarding claims 2 and 9, Pat '172 discloses applying an increase in voltage [col 3, lines 47-50]

Regarding claims 3 and 10, Pat '172 discloses applying a decrease in voltage [col 3, lines 47-50]

Regarding claim 4, Pat '172 discloses a second voltage is activated a specific amount of time after a first voltage was activated [col 3, lines 50-53]

Regarding claim 5, Pat '172 discloses a second voltage is deactivated a specific amount of time after a first voltage was deactivated [col 3, lines 50-53]

Regarding claim 6, Pat '172 discloses adjusting voltage disruption time duration [col 3, lines 57-61]

Regarding claim 7, Pat '172 discloses computer software controls the adjusting of selected variables [Fig 2, 200]

Regarding claim 8, Pat '172 discloses:
a nominal voltage [Fig 1, 134 and col 3, lines 29-31]

characteristics of the system are related.” Examiner maintains “optimal working voltage” per the disclosure of Pat '172 reads on the claimed “nominal voltage.”

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circuitry coupled to a power source [Fig 1, 134], the circuitry being configured to produce a voltage disturbance [Fig 2, 202, 204, 206, 208, 216] a connector that links the circuitry and the nominal voltage to a device [Figs 1 and 2]

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPAT 6,222,172 issued to Fossum et al (hereafter Pat '172).

Regarding claim 11, Pat '172 discloses a multiple of voltage magnitudes [col 3, lines 34-36]

Regarding claim 11, Pat '172 discloses the essential elements of the claimed invention except for multiple power sources. It would have been obvious at the time the invention was made to modify Pat '172 to include multiple power sources since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art.

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Regarding claim 12, Pat '172 discloses a decrease and an increase in voltage [col 3, lines 47-50]

5. Claims 13-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPAT 6,222,172 issued to Fossum et al (hereafter Pat '172) as applied to claim 12 above, and further in view of USPAT 5,877,956 issued to Frank et al (hereafter Pat '956).

Regarding claims 13 and 17, Pat '172 discloses the essential elements of the claimed invention except for a connector. Pat '956 discloses a connector [Fig 3, 113]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Pat '172 to include a connector as taught by Pat '956 for the purpose of connecting the power cycling circuit to the to the parallel port of the computer [col 6, lines 53-59].

Regarding claim 14, Pat '172 discloses adjusting voltage disruption time duration [col 3, lines 57-61]

Regarding claim 15, Pat '172 discloses a second voltage is activated a specific amount of time after a first voltage was activated [col 3, lines 50-53]

Regarding claim 16, Pat '172 discloses a second voltage is deactivated a specific amount of time after a first voltage was deactivated [col 3, lines 50-53]

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Response to Arguments

6. Applicant's arguments filed 1/17/2003, have been fully considered but they are not fully persuasive.

Applicant states on page 3, "Arnoldi does not disclose, describe, mention, teach, imply, hint at, or even remotely suggest applying a nominal voltage to an electronic component." Examiner is not persuaded but in order to advance prosecution and reduce arguments, supra new rejection is made.

Applicant states on page 4, "the present application describes a voltage disruption as being a voltage spike or a low voltage condition." In this regard MPEP paragraph 2111.01 requires that "[d]uring examination, the claims must be interpreted as broadly as their terms reasonably allow. This means that the words of the claim must be given their plain meaning unless applicant has provided a clear definition in the specification. *In re Zletz*, 893 F.2d 319, 321, 13 USPQ2d 1320, 1322 (Fed Cir. 1989). One must bear in mind that, especially in nonchemical cases, the words in a claim are generally not limited in their meaning by what is shown or disclosed in the specification. It is only when the specification provides definitions for terms appearing in the claims that the specification can be used in interpreting claim language. *In re Vogel*, 422 F.2d 438, 441, 164 USPQ 619, 622 (CCPA 1970)." Examiner is unable to find where in the specification Applicant defines "a voltage disruption as being a voltage spike or a low voltage condition."

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Applicant states on page 4, "Arnoldi does not describe repeating a voltage disruption, as described in the claims." Examiner is persuaded and thus supra new rejection of claims 1-18 is presented.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. USPAT 6,404,219 issued to Yamamoto, Burn-in Test Method For A Semiconductor Chip And Burn-in Test Apparatus Therefor discloses a test voltage pulse that varies from 0 volts to the threshold voltage and from 0 volts to the burn-in voltage.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne (Steve) LeRoux whose telephone number is (703) 305-0620.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic, can be reached at (703) 308-1436.

Any inquiry of a general nature relating to the status of this application or processing procedure should be directed to the receptionist whose telephone number is (703) 305-3900.

Etienne LeRoux

March 18, 2003


SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
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